

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARL ANTHONY TUCKER,

Defendant.

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No. 3:03-CR-88

Judge Phillips

FINAL ORDER OF FORFEITURE

On February 18, 2004, a Superseding Indictment was filed in the above-referenced case charging Defendant CARL ANTHONY TUCKER with, in Counts One and Three, taking, by force, violence and intimidation, and causing to be taken from the person and presence of another, money belonging to and in the care, custody, control, management, and possession of the Fulton Credit Union, the deposits of which were then insured by the National Credit Union Administration Board, and, in doing so, did put in jeopardy the life of a person by use of a dangerous weapon, in violation of Title 18, United States Code, Sections 2113(a) and (d) and 2; in Counts Two and Four, using and carrying a firearm during and in relation to a crime of violence, in violation of Title 18, United States Code, Sections 924(c) and 2; and in Count Five, being a felon in possession of ammunition, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

In the Forfeiture Allegations of the Superseding Indictment in the above-styled case, the United States sought forfeiture of the interest of the Defendant, CARL ANTHONY TUCKER,

in the property described below, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

.22 caliber pistol and .22 caliber ammunition.

On February 15, 2005, the Defendant, CARL ANTHONY TUCKER, pled guilty to Counts Three, Four and Five of the Superseding Indictment charging him with violations of Title 18, United States Code, Sections 2113(a) and (d), 2, 924(c), 922(g)(1) and 924(e), and agreed to forfeit his interest to the United States in the following property:

.22 caliber pistol and .22 caliber ammunition.

The Court accepted the guilty plea of the Defendant, CARL ANTHONY TUCKER, on February 15, 2005, and by virtue of said guilty plea and conviction, the Court has determined that the property identified above is subject to forfeiture pursuant to Title 18, United States Code, Sections 924(d)(1) and Title 28, United States Code, Section 2461(c) and that the United States has established the requisite nexus between the property and the aforesaid offense. Further the United States is now entitled to seize said property, pursuant to Title 21 U.S.C. § 853(g), as incorporated by Title 28, United States Code, Section 2461(c), and Rule 32.2(b) of the Federal Rules of Criminal Procedure.

5. On September 5, 2006, this Court entered a Preliminary Order of Forfeiture pursuant to the guilty plea entered by the defendant, CARL ANTHONY TUCKER, forfeiting to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), the defendant's interest in the properties described below, which constitute and are derived from proceeds obtained, directly or indirectly, as a result of the offense.

.22 caliber pistol and .22 caliber ammunition.

6. Pursuant to Title 21, United States Code, Section 853(n)(1), and the Agreed Preliminary Order of Forfeiture, Notice of Forfeiture as to the properties described above, was published in *The Knoxville News Sentinel*, a newspaper of general circulation in Knoxville, Tennessee on three occasions: October 29, 2007; November 5, 2007; and on November 12, 2007. Proof of publication was filed on December 19, 2007.

7. The Notice of Forfeiture advised that any person, other than the Defendants, having or claiming a legal interest in the forfeited properties described herein, must file a petition with the Court within thirty (30) days of the final publication of the notice. The notice further provided that the petition shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

No person, corporation, or entity has filed a claim as to the properties listed above.

It is therefore ORDERED, ADJUDGED AND DECREED:

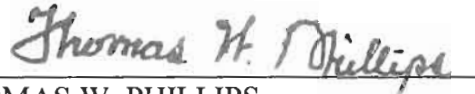
1. That the following property be and the same is hereby forfeited to the United States, pursuant to Title 21, United States Code, Section 853(h) and all right, title and interest in said properties be and the same are hereby vested in the United States:

.22 caliber pistol and .22 caliber ammunition.

2. That the United States Marshal Service shall dispose of said forfeited property according to law.

3. That the Clerk of this Court provide the United States Marshal Service and the United States Attorney's Office with a certified copy of this Final Order of Forfeiture.

ENTER:

A handwritten signature in dark ink, reading "Thomas W. Phillips", is written over a horizontal line.

THOMAS W. PHILLIPS
UNITED STATES DISTRICT JUDGE

Submitted by:

JAMES R. DEDRICK
United States Attorney

s/ Hugh B. Ward, Jr.
HUGH B. WARD, JR.
Assistant United States Attorney